

PTO/SB/106 (2-00)

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## Declaration and Power of Attorney for Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先として国別は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"Post Exposure Modification Of  
Critical Dimensions In Mask

## Fabrication"

"Post Exposure Modification of  
Critical Dimensions In Mask

## Fabrication"

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

- ☐ \_\_\_\_\_ の日に出版され、  
この出版の米国出版番号またはPCT国際出版番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出版（該当する場合）

- ☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正後によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定められている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

PTO/SB/105 (1-00)

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# Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の  
出願、或いは米国以外の少なくとも一国を指定している米国法典第 3  
5 編第 3 6 5 条 (a) による PCT 国際出願について、同第 1 1 8 条 (a)  
(i) 項又は第 3 6 5 条 (b) 項に基づいて優先権を主張するとともに、  
優先権を主張する本出願の出願日より前の出願日を有する外国での  
特許出願または発明者証の出願、或いは PCT 国際出願については、  
いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code,  
Section 119(a)-(d) or 365(b) of any foreign application(s) for patent  
or inventor's certificate, or 365(a) of any PCT International application  
which designated at least one country other than the United States  
listed below and have also identified below, by checking the box,  
any foreign application for patent or inventor's certificate, or PCT  
International application having a filing date before that of the  
application for which priority is claimed.

Prior Foreign Application(s)  
外国での先行出願

Priority Not Claimed  
優先権主張なし

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願日/月/年)

(Number)  
(番号)

(Country)  
(国名)

(Day/Month/Year Filed)  
(出願日/月/年)

私は、ここに、下記のいかなる米国特許出願についても、その米  
国法典第 3 8 編 1 1 9 条 (e) 項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section  
119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法  
典第 3 5 編第 1 2 0 条に基づく利益を主張し、又米国を指定するいか  
なる PCT 国際出願についても、その同第 3 6 5 条 (c) に基づく利益  
を主張する。また、本出願の特許請求の範囲の主題が、米国法典第  
3 5 編第 1 1 2 条第 1 段に規定された範囲で、先行する米国出願又は  
PCT 国際出願に開示されていない場合においては、その先行出願の  
出願日と本国内出願日または PCT 国際出願日との間の期間中に入手  
された情報で、本発明が従来技術第 3 7 編第 1. 5 6 に定義された特許  
性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section  
120 of any United States application(s), or 365(c) of any PCT  
International application designating the United States, listed below  
and, insofar as the subject matter of each of the claims of this  
application is not disclosed in the prior United States or PCT  
International application in the manner provided by the first paragraph  
of Title 35, United States Code Section 112, I acknowledge the duty  
to disclose information which is material to patentability as defined in  
Title 37, Code of Federal Regulations, Section 1.56 which becomes  
available between the filing date of the prior application and the  
national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(状況: 特許許可、係属中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(状況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、  
且つ情報と信ずることに基づく陳述が、真実であると信じられること  
を宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典  
第 1 8 編第 1 0 0 1 条に基づき、罰金または拘禁、若しくはその両方  
により処罰され、またそのような故意による虚偽の陳述は、本出願ま  
たはそれに対して発行されるいかなる特許も、その有効性に問題が生  
ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own  
knowledge are true and that all statements made on information  
and belief are believed to be true; and further that those statements  
were made with the knowledge that willful false statements and the  
like so made are punishable by fine or imprisonment, or both, under  
Section 1001 of Title 18 of the United States Code and that such  
willful false statements may jeopardize the validity of the application  
or any patent issued thereon.

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### Japanese Language Declaration (日本語宣言書)

委任状: 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、固有名詞の発明者として、下記の弁護士及び/または弁理士を任命する。(氏名及び登録番号を記載すること)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

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Full name of sole or first inventor

Takeshi Ohfuji

Takeshi Ohfuji

発明者の署名

Inventor's signature

日付

Date

Takeshi Ohfuji

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Hiroyuki Inomata

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(Supply similar information and signature for third and subsequent joint inventors.)

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

書類送付先

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唯一または第一発明者氏名

Shiho Sasaki

Full name of third inventor  
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APPENDIX A

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APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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